



House of Representatives

General Assembly

File No. 768

January Session, 2001

Substitute House Bill No. 6611

House of Representatives, May 15, 2001

The Committee on Appropriations reported through REP. DYSON of the 94th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING FORENSIC CLIENTS PLACED WITH THE DEPARTMENT OF MENTAL RETARDATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (a) As used in this section:

2 (1) "Forensic client" means any person who (A) has been convicted,
3 or found not guilty by reason of mental disease or defect, of any
4 criminal offense involving violence or sexual assault or abuse, or has a
5 history of violent behavior or sexual assault, and (B) has been placed in
6 a residential facility operated or funded by the department after
7 release from custody or incarceration or as an alternative to
8 incarceration;

9 (2) "Commissioner" means the Commissioner of Mental Retardation;
10 and

11 (3) "Department" means the Department of Mental Retardation.

12 (b) The commissioner shall adopt regulations, in accordance with
13 chapter 54 of the general statutes, to establish and implement the
14 policy of the department with respect to the placement and care of
15 forensic clients. Such regulations shall include, but not be limited to,
16 provisions concerning: (1) The siting of residential facilities for forensic
17 clients; (2) the evaluation and placement of forensic clients; (3) notice
18 to the surrounding community of any such placement; (4) appropriate
19 levels of security and supervision of forensic clients; and (5) the care
20 and quality of life of forensic clients.

21 Sec. 2. The Commissioner of Mental Retardation shall evaluate,
22 within available appropriations, the feasibility and appropriateness of
23 the use of any state-owned property for a facility for the placement of
24 forensic clients of the department. Not later than February 1, 2002, the
25 commissioner shall submit a report containing the commissioner's
26 findings and recommendations to the joint standing committee of the
27 General Assembly having cognizance of matters relating to public
28 health, in accordance with the provisions of section 11-4a of the
29 general statutes.

30 Sec. 3. This act shall take effect from its passage.

APP *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: See Explanation Below

Affected Agencies: Department of Mental Retardation

Municipal Impact: None

Explanation**State Impact:**

This bill requires the Department of Mental Retardation to adopt regulations establishing and implementing its policy concerning forensic clients. It is anticipated that the department can adopt these regulations within the available budgetary resources. However, the fiscal impact associated with the implementation of those regulations is unknown as it depends on the program designed by the department, resulting costs and available funding. In addition, the bill requires the department to evaluate the feasibility and appropriateness of the use of any state-owned property for the placement of forensic clients. It is anticipated that the department will conduct the feasibility and appropriateness study as their budgetary resources allow due to the fiscal limitations in the bill.

OLR BILL ANALYSIS

sHB 6611

***AN ACT CONCERNING FORENSIC CLIENTS PLACED WITH THE
DEPARTMENT OF MENTAL RETARDATION.*****SUMMARY:**

This bill requires the Department of Mental Retardation (DMR) to adopt regulations establishing and implementing its policy for placing and caring for forensic clients. The regulations must address (1) the siting of residential facilities for forensic clients, (2) their evaluation and placement, (3) notice to surrounding communities of such placements, (4) appropriate security and supervision levels, and (5) client care and quality of life.

The bill defines "forensic client" as a person who (1) has been convicted or found not guilty by reason of mental disease or defect of any crime involving violence or sexual assault, or has a history of violent behavior or sexual assault, and (2) has been placed in a residential facility operated or funded by DMR after release from custody or incarceration or as an alternative to incarceration.

The bill also requires DMR to evaluate, within available appropriations, if it is feasible and appropriate to place forensic clients on any state-owned property. DMR must report its findings and recommendations to the Public Health Committee by February 1, 2002.

EFFECTIVE DATE: Upon passage

BACKGROUND**Legislative History**

The House referred the bill (File 462) to the Appropriations Committee on May 1. On May 7, that committee favorably reported a substitute bill that eliminated specific reference to Mansfield and Southbury

Training Schools in the feasibility evaluation and specified the evaluation must be conducted within available appropriations.

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 25 Nay 0

Appropriation Committee

Joint Favorable Substitute

Yea 40 Nay 1